

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In the Matter of

GEORGE ORANTES,

Chapter 7
Case No. 809-75488-reg

Debtor.

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KENNETH KIRSCHENBAUM, as Trustee
of the Estate of George Orantes,

Plaintiff,

Chapter 7
Adv. Pro. No. 818-08095-reg

-against-

ROBERTO ORANTES and KARLA RAMIREZ,

Defendants.

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In the Matter of

GEORGE ORANTES,

Chapter 7
Case No. 817-74749-reg

Debtor.

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**ORDER APPROVING GLOBAL STIPULATION, AUTHORIZING THE SETTLEMENT
OF THE ADVERSARY PROCEEDING IN ACCORDANCE WITH THE TERMS AND
CONDITIONS SET FORTH IN THE GLOBAL STIPULATION, AUTHORIZING THE
SALES BY THE TRUSTEE OF THE ESTATE’S INTEREST IN THE REAL
PROPERTY LOCATED IN CALIFORNIA IN THE 2009 CASE AND THE REAL
PROPERTY LOCATED IN EL SALVADOR IN THE 2017 CASE IN ACCORDANCE
WITH THE TERMS AND CONDITIONS SET FORTH IN THE GLOBAL
STIPULATION, AND FIXING THE AMOUNT, CLASSIFICATION AND TREATMENT
OF THE PROOFS OF CLAIM FILED BY ROBERTO ORANTES IN THE 2009 and 2017
CASES IN ACCORDANCE WITH THE TERMS AND CONDITIONS SET FORTH IN
THE GLOBAL STIPULATION**

Kenneth Kirschenbaum, the Chapter 7 Trustee (the “Trustee”) for the estates (the
“Estates”) of George Orantes (the “Debtor”), by and through his attorneys, Kirschenbaum &
Kirschenbaum, P.C., having moved by Notice of Motion (the “Motion”), dated November 9,
2018, for entry of an order:

(a) pursuant to 11 U.S.C. § 105(a) and Rule 9019 of the Federal Rules of Bankruptcy Procedure, authorizing and approving a global stipulation (the “Stipulation”) by and between Kenneth Kirschenbaum, as Chapter 7 Trustee, and Roberto Orantes;

(b) authorizing the settlement of the adversary proceeding (the “Adversary Proceeding”) pending under adversary proceeding number 818-08095-reg in accordance with the terms and conditions set forth in the Stipulation;

(c) authorizing, pursuant to 11 U.S.C. § 363(b) and Rule 6004 of the Federal Rules of Bankruptcy Procedure, the sale of the Trustee’s right, title and interest in real property located in California in the 2009 case and real property located in El Salvador in the 2017 case in accordance with the terms and conditions set forth in the Stipulation;

(d) fixing, pursuant to 11 U.S.C. §§ 502 and 510, and Rule 9019 of the Federal Rules of Bankruptcy Procedure, the amount, classification and treatment of the proofs of claim filed by Roberto Orantes in the 2009 and 2017 cases in accordance with the terms and conditions set forth in the Stipulation; and

(e) granting such other and further relief as this Court may deem just and proper; and there being no filed opposition to the relief requested, and the Motion having come on to be heard before the Court on December 17, 2018, and Steven B. Sheinwald, Esq., of Kirschenbaum & Kirschenbaum, P.C., having appeared on behalf of the Trustee in support of the Motion, and Mark Frankel, Esq., of Backenroth Frankel & Krinsky, LLP, having appeared on behalf of Roberto Orantes in support of the Motion, and no one having appeared in opposition to the Motion, the Court having found that: (i) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (ii) venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409, (iii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), (iv) notice of the Motion was sufficient and no additional notice of or further hearing on the Motion is required under the

circumstances, and (v) the relief sought in the Motion is in the best interests of the Debtor's Estates, their creditors, and other parties in interest and is supported by good business reasons in accordance with Bankruptcy Rule 9019; and the Court having reviewed the Motion and having determined that the factual, legal and equitable bases set forth in the Motion establish just cause for the relief granted herein; now, therefore, it is hereby

ORDERED, that the global Stipulation entered into between the Trustee and Roberto Orantes is approved in its entirety; and it is further

ORDERED, pursuant to 11 U.S.C. §105(a) and Rule 9019 of the Federal Rules of Bankruptcy Procedure, that the Trustee is authorized to settle the Adversary Proceeding in accordance with the terms and conditions set forth in the global Stipulation; and it is further

ORDERED, pursuant to 11 U.S.C. § 363(b) and Rule 6004 of the Federal Rules of Bankruptcy Procedure, that the Trustee is authorized to sell the Estate's right, title and interest in the real property located in California in the 2009 case in accordance with the terms and conditions set forth in the Stipulation; and it is further

ORDERED, pursuant to 11 U.S.C. § 363(b) and Rule 6004 of the Federal Rules of Bankruptcy Procedure, that the Trustee is authorized to sell the Estate's right, title and interest in the real property located in El Salvador in the 2017 case in accordance with the terms and conditions set forth in the Stipulation; and it is further

ORDERED, pursuant to 11 U.S.C. §§ 502 and 510, and Rule 9019 of the Federal Rules of Bankruptcy Procedure, the amount, classification and treatment of the proofs of claim filed by Roberto Orantes in the 2009 and 2017 cases are fixed in accordance with the terms and conditions set forth in the Stipulation; and it is further

ORDERED, that the Trustee is authorized to take any and all steps and execute any documents reasonably necessary to consummate the terms and conditions set forth in the

Stipulation and to perform any and all obligations contemplated therein; and it is further

ORDERED, that the Court shall retain jurisdiction with respect to all matters arising from or related to the implementation of this Order.

**Dated: Central Islip, New York
December 28, 2018**



A handwritten signature in black ink, appearing to read "Robert E. Grossman". The signature is fluid and cursive, with a long horizontal stroke at the end.

**Robert E. Grossman
United States Bankruptcy Judge**